

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Claims 1-5 are pending in this application, of which claim 1 is independent. In the Office Action dated January 11, 2006, claims 1-3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,458,391 ("*Scarpini*") in view of U.S. Patent No. 6,006,552 ("*Matsuda*"), claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Scarpini* in view of *Matsuda* and in further view of U.S. Patent No. 4,334,556 ("*Frohlich*"), and claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Scarpini* in view of *Matsuda* and in further view of U.S. Patent No. 6,505,652 ("*Matsushima*"). Applicant respectfully traverses the Examiner's rejections.

Fundamentally, Applicant submits that there is no motivation to combine *Scarpini* with *Matsuda*. Specifically, *Scarpini* is merely directed to a fastener tape having a main portion, a carrier cord, and two special warp threads. *Scarpini* completely fails to show or suggest thermal contraction coefficient associated with any portion of the tape. In the rejection of claim 1, the Examiner conceded that *Scarpini* at least fails to show or suggest the required features reciting a) "wherein a foundation warp used for said tape main portion has a lower thermal contraction coefficient than warps used for said element-mounting edge portion," b) "wherein a warp of said element-mounting edge portion disposed between said core string woven in said element-mounting edge portion and said tape main portion has a thermal contraction coefficient higher than the foundation warp used for said tape main portion and lower than said core string and

other warp of said element mounting edge portion,” and c) “wherein said core string has a higher thermal contraction coefficient than all warps.”

Matsuda, on the other hand, is directed to a warp-knit, rather than the recited woven slide fastener, and has no core string of any kind. Without any disclosure or suggestion of a core string, there can be no motivation to combine *Matsuda* with *Scarpini* at least because *Matsuda* fails to cure *Scarpini*’s lack of disclosure or suggestion of the features b) and c) of claim 1 as described above. Applicant additionally submits that even if combined, the combination of *Scarpini* and *Matsuda* would still fail to show or suggest the invention of claim 1.

More specifically, the invention of claim 1 teaches at least three phases of thermal contraction coefficients arranged in a width direction of the fastener tape. In this novel arrangement, the phases of thermal contraction coefficients progress in the width direction a) “wherein a foundation warp used for said tape main portion has a lower thermal contraction coefficient than warps used for said element-mounting edge portion,” b) “wherein a warp of said element-mounting edge portion disposed between said core string woven in said element-mounting edge portion and said tape main portion has a thermal contraction coefficient higher than the foundation warp used for said tape main portion and lower than said core string and other warp of said element mounting edge portion,” and c) “wherein said core string has a higher thermal contraction coefficient than all warps.” *Scarpini*, as indicated by the Examiner, fails to disclose thermal contraction coefficients for any portion of its tape. *Matsuda*, as discussed above, fails to disclose a core string or thermal contraction coefficient associated with a core string and fails to disclose or suggest the three-phased thermal

contraction coefficient progression of claim 1. Instead, *Matsuda* merely indicates that “the heat contraction rates of the yarns for forming the fastener element attaching portion EA are set at higher values than the heat contraction rate of the monofilament which is material for forming the fastener element row ER.” Column 6, lines 59-63. Within the fastener element attaching portion EA, the heat contraction rate of the warp in-land yarns G1-G4, which are disposed in all wales throughout the entire EA portion, as shown, for example, in Fig. 3, is higher than heat contraction rate of the other composition yarns A, C, D, and F of the fastener element attaching portion EA. Column 6, lines 35-46. Therefore, the heat contraction rate of *Mutsuda* is equal across the element attaching portion EA and shows no progression of such rates across the element attaching portion in a width direction.

Accordingly, at least because there is no motivation to combine *Scarpini* and *Matsuda* and further because, even when combined, the combination of *Scarpini* and *Matsuda* fails to show, teach, or suggest each and every element of claim 1, claim 1 is patentable over the combination of *Scarpini* and *Matsuda* under 35 U.S.C. §103(a). Claims 2-5 depend from claim 1 and are, therefore, also novel and patentable over the combination of *Scarpini* and *Matsuda* under 35 U.S.C. § 103(a) for at least the same reasons.

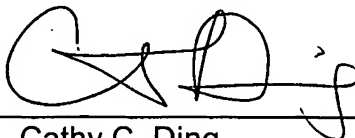
In view of the foregoing, Applicant respectfully requests reexamination and reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 11, 2006

By: 
Cathy C. Ding
Reg. No. 52,820